

**CHAPTER 1236**  
**BAIL PROHIBITED**  
*H.F. 2339*

**AN ACT** to prohibit bail following conviction of, or a plea or verdict of guilty to, certain felonies.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 811.1, subsections 1 and 2, Code 1981, are amended to read as follows:

1. A defendant awaiting judgment of conviction and sentencing ~~for~~ following either a plea or verdict of guilty of a class "A" felony, murder, felonious assault, sexual abuse in the second degree, sexual abuse in the third degree in violation of section 709.4, subsections 1 and 3, kidnapping, robbery in the first degree, arson in the first degree, or burglary in the first degree.

2. A defendant appealing a conviction of a class "A" felony, murder, felonious assault, sexual abuse in the second degree, sexual abuse in the third degree in violation of section 709.4, subsections 1 and 3, kidnapping, robbery in the first degree, arson in the first degree, or burglary in the first degree.

Approved May 14, 1982

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**CHAPTER 1237**  
**RECORDING OF SUPPORT PAYMENTS ASSIGNED TO SOCIAL SERVICES**  
*H.F. 2476*

**AN ACT** relating to the recording of automatic assignments to the department of social services of periodic support payments by recipients of public assistance.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 239.3, Code 1981, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. An applicant for assistance under this chapter and other persons covered by an application are deemed to have assigned to the department of social services at the time of application all rights to periodic support payments to the extent of public assistance received by the applicant and other persons covered by the application. An assignment takes effect upon determination that an applicant or another person covered by an application is eligible for assistance under this chapter, applies to both current and accrued

support obligations, and terminates when an applicant or another person covered by an application ceases to receive assistance under this chapter, except with respect to the amount of unpaid support obligations accrued under the assignment. If an applicant or another person covered by an application ceases to receive assistance under this chapter and the applicant or other person covered by the application receives a periodic support payment, the department of social services is entitled only to that amount of the periodic support payment above the current periodic support obligation.

Sec. 2. Section 252A.13, Code 1981, is amended to read as follows:

**252A.13 WELFARE RECIPIENTS OF PUBLIC ASSISTANCE—ASSIGNMENT OF SUPPORT PAYMENTS.** ~~Persons~~ A person entitled to periodic support payments pursuant to an order or judgment entered in a uniform support action ~~pursuant to~~ under this chapter, ~~who are is also welfare recipients, shall assign their a recipient of public assistance, is deemed to have assigned the person's rights to the support payments, to the extent of public assistance received by the person, to the department of social services. The department shall immediately notify the clerk of court by mail when a person entitled to support payments has been determined to be eligible for public assistance. Upon notification by the department that a person entitled to periodic support payments pursuant to this chapter is receiving public assistance, the clerk of court shall make a notation of the automatic assignment in the judgment docket and lien index. The notation constitutes constructive notice of the assignment. The clerk of court shall forward support payments received pursuant to section 252A.6, ~~to which the department is entitled, to the department, unless the court has ordered the payments made directly to the department under subsection 12 of that section. The department shall have the right to may secure support payments in default through proceedings prescribed in this chapter. The clerk shall furnish the department with copies of all orders or decrees awarding support to parties having custody of minor children when the parties are receiving welfare public assistance.~~~~

Sec. 3. Section 252B.3, Code 1981, is amended by adding the following new unnumbered paragraph:

**NEW UNNUMBERED PARAGRAPH.** The department of social services may negotiate a partial payment of a support obligation with a parent or other person responsible for the support of the child, provided that the negotiation and partial payment are consistent with applicable federal law and regulation.

Sec. 4. Section 598.34, Code 1981, is amended to read as follows:

**598.34 WELFARE RECIPIENTS OF PUBLIC ASSISTANCE—ASSIGNMENT OF SUPPORT PAYMENTS.** ~~Persons~~ A person entitled to periodic support payments pursuant to an order or judgment entered in an action for dissolution of marriage, ~~who are is also welfare recipients, shall assign their a recipient of public assistance, is deemed to have assigned the person's rights to such the support payments, to the extent of public assistance received by the person, to the department of social services. The department shall immediately notify the clerk of court by mail when a person entitled to support payments has been determined to be eligible for public assistance. Upon notification by the department that a person entitled to periodic support payments pursuant to this chapter is receiving public assistance, the clerk of court shall make a notation of the automatic assignment in the judgment docket and lien index. The notation constitutes constructive notice of the assignment. The clerk of court shall forward support payments received pursuant to section 598.22, to which the department is entitled, to the department, which shall have the right to may secure support payments in default through proceedings provided for in chapter 252A or section 598.24.~~

The clerk shall furnish the department with copies of all orders or decrees awarding support to parties having custody of minor children when such the parties are receiving welfare public assistance.

Sec. 5. Section 675.38, Code 1981, is amended to read as follows:

675.38 ~~WELFARE RECIPIENTS OF PUBLIC ASSISTANCE~~—ASSIGNMENT OF SUPPORT PAYMENTS. ~~Persons~~ A person entitled to periodic support payments pursuant to an order or judgment entered in a paternity action ~~pursuant to~~ under this chapter, who ~~are~~ is also ~~welfare recipients, shall assign their~~ a recipient of public assistance, is deemed to have assigned the person's rights to the support payments, to the extent of public assistance received by the person, to the department of social services. The department shall immediately notify the clerk of court by mail when a person entitled to support payments has been determined to be eligible for public assistance. Upon notification by the department that a person entitled to periodic support payments pursuant to this chapter is receiving public assistance, the clerk of court shall make a notation of the automatic assignment in the judgment docket and lien index. The notation constitutes constructive notice of the assignment. The clerk of court shall forward support payments received pursuant to section 675.25, to which the department is entitled, to the department, which shall have the right to may secure support payments in default through proceedings prescribed in chapter 252A or section 675.37. The clerk shall furnish the department with copies of all orders or decrees awarding support to parties having custody of minor children when the parties are receiving welfare public assistance.

Approved May 19, 1982

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## CHAPTER 1238

### STATE HISTORICAL DEPARTMENT

*H.F. 828*

**AN ACT** to redefine the duties of the state historical department and to provide for the appointment of an executive director and a state historical board.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 64.6, subsection 19, Code 1981, is amended by striking the subsection and inserting in lieu thereof the following:

19. Executive director of the state historical department, one thousand dollars.

Sec. 2. Section 303.1, Code 1981, is amended by striking the section and inserting in lieu thereof the following:

303.1 ESTABLISHMENT OF DEPARTMENT. There is established the Iowa state historical department. There is established a state historical board consisting of seven members appointed by the governor, subject to senate confirmation. The members shall include the following: